



City of Marietta Meeting Agenda

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

CITY COUNCIL

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, September 13, 2006

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Annette Paige Lewis, Councilperson, Ward 1
9/11 Remembrance

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20061013 **Presentation of Marietta's new website**

PROCLAMATIONS:

20060980 **Georgia Municipal Association Champions of Georgia Cities Award**

Gwin Hall, Associate General Counsel at GMA is presenting Senator Stoner with a Champions of Georgia Cities award this year "for his friendship and enthusiastic support of cities."

20060854 **Resolution honoring Norma Whitaker**

Resolution honoring Norma Whitaker for her years of service to the Marietta Development Authority. Resolution accepted on her behalf by Son, Robert Whitaker, Daughter-In-Law, Robin and Granddaughter, Samantha, Daughter, Lynn Whitaker-Perry, Son-in-law, Donald, grandson, Dylan and granddaughter, Courtney.

20060956 **Public Power Week**

Danny Magwood and Chuck Ward receives a proclamation declaring October 1-7, 2006, as the 20th annual Public Power Week.

20060957 **Clean Water Week**

Kim Holland, Project Manager for the Water Department, receives a proclamation declaring October 1-7, 2006 as Clean Water Week

20060969 **Fire Prevention Week**

Fire Marshall Mark Anderson accepting a Proclamation recognizing the week of October 8-14, 2006 as Fire Prevention Week.

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:**CONSENT AGENDA:**

Consent agenda items are marked by an asterisk (*).

(A public hearing will be held only for those items marked by an asterisk that require a public hearing, which is so noted below the agenda item.)

MINUTES:**20060968 Regular Meeting - August 9, 2006**

Review and approval of the August 9, 2006 regular meeting.

20060989 Special Meeting - August 30, 2006

Review and approval of the August 30, 2006 special meeting minutes.

MAYOR'S APPOINTMENTS:**CITY COUNCIL APPOINTMENTS:**

- * **20060898 Construction Board of Adjustment and Appeals**
Appointment of Michael Hodnett (Ward 3) to the Construction Board of Adjustment and Appeals to fill an expired five-year term.
- * **20060899 Marietta Museum of History**
Appointment of Jack W. Corn to the Marietta Museum of History Board of Directors for a term of three years.
- * **20061016 Marietta Historic Preservation Commission (Ward 3)**
Reappointment (Ward 3) of Julia C. Walker to the Marietta Historic Preservation Commission for three-year term expiring September 14, 2009.

ORDINANCES:**20060592 Z2006-18 Shiloh Development Group, Inc. 776, 778, 780 Canton Road and 899 Cobb Parkway North**

Z2006-18 SHILOH DEVELOPMENT GROUP, request rezoning for property located in Land Lot 1016 and 1017, 16th District, Parcels 14, 34, 10 and 30 and being known as 776, 778 and 780 Canton Road and 899 Cobb Parkway North from OI (Office Institutional) to PRD-MF (Planned Residential Development Multi-Family) Ward 5B.

Recommended for denial by the Planning Commission

Vote: 6 - 1 - 0 Stipulations: n/a

Public Hearing (all parties are sworn in)

20060736 Z2006-25 Kenneth & Simone Frisard vacant property off Bells Ferry Road

Z2006-25 KENNETH AND SIMONE FRISARD, requests rezoning for property located in Land Lot 09320, District 16, Parcel 0040 and being known as vacant property off Bells Ferry Road from GC [General Commercial (County)] to CRC [Community Retail Commercial (City)]. Ward 4B.

Recommended for approval by the Planning Commission

Vote: 7 - 0 - 0 Stipulations: n/a

Public Hearing (all parties are sworn in)

20060737 A2006-05 Kenneth and Simone Frisard vacant property off Bells Ferry Road

A2006-05 KENNETH AND SIMONE FRISARD requests annexation for property located in Land Lots 931 and 932, Parcel 0040, 16th District, 2nd Section, Cobb County, Georgia consisting of 3.76 acres and being known as vacant property off Bells Ferry Road. Ward 4B.

Recommended for approval by the Planning Commission.

Vote: 7 - 0 - 0 Stipulations: n/a

Public Hearing (all parties are sworn in)

20060738 CA2006-13 (A2006-05) Kenneth and Simone Frisard vacant property off Bells Ferry Road

CA2006-13 (A2006-05) KENNETH AND SIMONE FRISARD in conjunction with the requested annexation of property located in Land Lot 09320, Parcel 0040, 16th District, 2nd Section, Marietta, Cobb County, Georgia and being known as vacant property off Bells Ferry Road, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 4B.

Recommended for approval by the Planning Commission.

Vote: 7 - 0 - 0

Stipulations: n/a

Public Hearing (all parties are sworn in)

20060910 Z2006-27 Joseph Milk 1425 and 1435 Cunningham Road

Z2006-27 JOSEPH MILK requests rezoning for property located in Land Lot 8, Parcels 3 and 4, 17th District, 2nd Section, Marietta, Cobb County, Georgia and being known as 1425 and 1435 Cunningham Road from R-2 [Single Family Residential (City)] and R-20 [Single Family Residential (County)] to RA-8 [Single Family Residential Attached 8 units/acre (City)]. Ward 2B.

Recommended for approval as stipulated by the Planning Commission.

Vote: 6 - 0 - 1

Stipulations: To include the Letter of Stipulations dated August 17, 2006 from James A. Balli, with Sams, Larkin & Huff, LLP, to Russell J. Roth, AICP, Manager, Planning and Zoning Department which includes the front and rear elevations; and, Letter dated August 31, 2006 from James A. Balli, with Sams, Larkin & Huff, LLP, to Russell J. Roth, AICP, Manager, Planning and Zoning Department which indicates side elevations.

Public Hearing (all parties are sworn in)

20060911 A2006-06 Joseph Milk 1435 Cunningham Road

A2005-12 JOSEPH MILK requests annexation for property located in Land Lot 00080, Parcel 4, 17th District, 2nd Section, Cobb County, Georgia consisting of 1.980 acres and being known as 1435 Cunningham Road. Ward 2B.

Recommended for approval by the Planning Commission

Vote: 6 - 0 - 1

Stipulations: n/a

Public Hearing (all parties are sworn in)

20060912 CA2006-14 (A2006-06) Joseph Milk 1435 Cunningham Road

CA2006-14 (A2006-06) JOSEPH MILK in conjunction with the requested annexation of property located in Land Lot 8, Parcels 3 and 4, 17th District, 2nd Section, Marietta, Cobb County, Georgia and being known as 1425 and 1435 Cunningham Road, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 2B.

Recommended for approval by the Planning Commission.

Vote: 6 - 0 - 1

Stipulations: n/a

Public Hearing (all parties are sworn in)

20060812 CA2006-15 Amending the Comprehensive Development Code regarding the Sign Ordinance.

Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 714, regarding the Sign Ordinance.

Recommended for approval by the Planning Commission.

Vote: 7 - 0 - 0

Stipulations: n/a

Public Hearing (all parties are sworn in)

*** 20060997 Code Enforcement - 579 Welch Street**

An ordinance authorizing the removal of obnoxious vegetation along with trash and debris rendering sanitary, property at 579 Welch Street in the corporate limits of the City of Marietta.

Certified mail receipt not received as of September 6, 2006.

Taxes paid: yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

*** 20060998 Code Enforcement - 586 Welch Street**

An ordinance authorizing the removal of obnoxious vegetation along with trash and debris rendering sanitary, property at 586 Welch Street in the corporate limits of the City of Marietta.

Certified mail receipt not received as of September 6, 2006.

Taxes paid: yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining.

* **20060999 Code Enforcement - 32 Hedges Street**

An ordinance authorizing the removal of obnoxious vegetation, along with trash and debris rendering sanitary, property at 32 Hedges Street in the corporate limits of the City of Marietta.

Certified mail receipt not received as of September 6, 2006.

Taxes paid: yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining.

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

* **20061004 Denial of Claim**

Denial of claim of Ora Brown.

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: Grif Chalfant, Chairperson

* **20060857 Purchase/exchange of Property**

Motion to authorize advertisement to sell or exchange certain City-owned property located on the northerly side of the North Marietta Parkway, between North Fairground Street and Page Street. Such authorization for advertisement, and the actual boundaries of City-owned property offered for sale or exchange, shall be contingent upon a determination by the Department of Public Works that the City has retained sufficient right of way to accommodate likely future improvements to the intersection of N. Marietta Parkway and N. Fairground Street, including provisions for adequate turning lanes, bike paths, sidewalks and utility easements.

* **20060958 Reallocation of FFY 2006 HOME Program Funds**

Motion to approve the reallocation of \$289,000 of FFY'06 HOME Program funds from Cobb Housing Inc. and the MINT program to Owner Occupied Housing Reconstruction.

* **20060961 Redevelopment Equity Reserve Work Program**

Motion to approve the MRC FY2007 work program for the revolving equity reserve fund with the addition of the Manget-Frasier Street Neighborhood as a fifth potential project area. Further, on page 13, under Section IV, the second sentence was amended to read, "As legal owner of the real estate, the MRC would be authorized to dispose of any/all real estate assets without requiring

prior City Council approval of the sales terms."
Rev. Anthony Coleman abstaining

* **20061015 Redevelopment Equity Reserve Fund for the MRC**

Approval of an Ordinance amending the Fiscal Year 2007 Budget to appropriate \$2.1 million for the Redevelopment Equity Reserve Fund for the Marietta Redevelopment Corporation (MRC).
Rev. Anthony Coleman abstaining

20061011 Kennestone Area Master Plan Draft Report

Presentation and public forum by the Sizemore Group of the Kennestone Area Master Plan Draft Report.
Presentation and Public Forum

2. Finance/Investment: Annette Lewis, Chairperson

* **20060896 City Banking Services**

Approval of a contract with Wachovia Bank to conduct the City's banking services for the next four years.

* **20060925 Acceptance of donation to M-STAR Program**

Approval of a Budget Amendment to the Fiscal Year 2007 General Fund budget to receive and appropriate a donation of \$1,000 to the M-STAR program from the Georgia Association of Chiefs of Police for winning the McClung/Motorola Award for Community Policing.

* **20060916 Roswell Streetscape Project**

Request to approve a Budget Amendment for an additional service request by PBSJ for \$74,000 to cover expenses associated with the Roswell Streetscape Project which was previously approved by City Council.

* **20060962 Georgia Forestry Commission Grant**

Approval of a Budget Amendment to the Fiscal Year 2007 General Fund budget to receive and appropriate a \$15,000 reimbursement grant from the Georgia Forestry Commission for the Trees for Tomorrow Program.

3. Judicial/Legislative: Philip M. Goldstein, Chairperson

* **20060952 Proposed amendments regarding buffer requirements**

Motion to approve advertising the proposed amendments to the buffer requirements for RA4, RA6, and RA8 zoning designations.

* **20060838 Historic Preservation Commission Project List & Budget Amendment**

Motion to approve a Budget Amendment to the Fiscal Year 2007 General Fund budget to fund the Historic Preservation Commission Project List. The proposed budget amendment includes the following projects:

Atlanta/Frasier Street = \$3,000
Washington/Lawrence = \$3,000
Manning Estate = \$500

Church/Cherokee Historic District = \$3,000
Printed Brochures = \$2,500
Total = \$12,000

* **20060955 North Metro Church Detailed Plan**

Motion to approve the Revised Detailed Plan for North Metro Church with the stipulation that the tree save areas be maintain until after the Landscape Plan has been approved for Phase Four and Five.

* **20060954 Walnut Grove Detailed Plan**

Motion to approve the Walnut Grove Detailed Plan.

4. Parks, Recreation and Tourism: Holly Walquist, Chairperson

* **20060936 Street closings for Cobb Walk for Wellness**

Motion to approve the request to temporarily close East Park Square and North Park Square from 8:00 a.m. to 5:00 p.m., on Saturday, October 8, 2006 in conjunction with the Cobb County Wellness Walk and Health Fair. Further, staff is authorized to open North Park Square to traffic if the space is not needed for the event's activities.

* **20060970 Street Closure Request for Marietta Reads Community Event**

Motion to approve the request to temporarily close East Park Square adjacent to Glover Park from 8:00 a.m. to 5:00 p.m., on Saturday, September 30, 2006 in conjunction with the Marietta Reads Event.

* **20060826 City Club Golf Course Contract**

Review and approval of an Independent Contractor Agreement with Classic Golf Management, Inc., for the day-to-day operations of the City Club Marietta effective January 1, 2007.

* **20060832 Henry Park Design Plan**

Motion to approve the Henry Park/Griggs Street Neighborhood Master Plan as presented.

* **20060939 Aviation Rd. Softball Complex Contract**

Review and approval of a contract with CSA Sports for the operation and management of the softball programs at Aviation Road Softball Complex.

* **20060622 Waddell/Lemon St. Pocket Park**

Motion to approve naming the Waddell/Lemon Street Pocket Park, owned by the City of Marietta that was installed by the Marietta Tree Keepers in 2004 "Hill Park".

* **20060930 Lewis Park Update/Dog Park Rules**

Motion to approve the installation of additional fencing at the Lewis Park ball field to create a dog run; approve necessary funding to supplement the existing general fund budget from the Whitaker Fund; and, adopt a set of Dog Park rules for Lewis Park.

Philip M. Goldstein abstaining

5. Personnel/Insurance: Van Pearlberg, Chairperson

- * **20060926 Employee/Retiree Group Health Care Plan for Calendar Year 2007**
Request to approve administrative services agreement for the plan year 2007 with Blue Cross/Blue Shield of Georgia, Inc. including rates, plan design modifications of coverage and policy changes for contribution percentages and retiree health coverage for employees hired on or after January 1, 2007.
- * **20061029 Amendment of City/BLW Health Care contribution for New Hires as of September 14, 2006**
Ordinance amending City Code Sections 4-12-2-030 and 4-12-2-040 to amend the health care coverage, life and accidental death and dismemberment insurance benefit provided to new employees hired on or after September 14, 2006.
- * **20060971 Code Enforcement Staffing Request**
Approval of an Ordinance amending the FY2006-2007 City of Marietta/BLW position allocation chart adopted by Ordinance 6932 so as to add two positions of Code Enforcement Specialist and delete one position of Code Enforcement Inspector in the Development Services Department [#1801] for the purpose of adding staff to implement targeted programs and projects.
- * **20061008 Budget Amendment affecting Code Enforcement Positions**
Approval of an Ordinance amending the FY2007 General Fund budget to add two positions of Code Enforcement Specialists and delete one Code Enforcement Inspector

6. Public Safety Committee: Anthony Coleman, Chairperson**7. Public Works Committee: Jim King, Chairperson**

- * **20060807 Discussion of Road Drainage Improvement Projects**
Motion to approve the Webb Industrial Drive Road Drainage Improvement Project.
- * **20060813 Rename "Bil-Jac Boulevard" to "Pete Scogin Parkway"**
Motion to approve renaming "Bil-Jac Boulevard" to "Pete Scogin Parkway."

SCHEDULED APPEARANCES:**UNSCHEDULED APPEARANCES:****OTHER BUSINESS:**

- * **20060993 BLW Actions of September 11, 2006**
Review and approval of the Board of Lights and Water Works (BLW) September 11, 2006, actions and minutes.

ADJOURNMENT: